

CITY OF BURBANK WATER RECLAMATION PLANT

ILLICIT STORMWATER PROGRAM

The municipal separate stormwater sewer system (MS4) permit issued to Los Angeles County and 85 cities by the Los Angeles Regional Water Quality Control Board on December 13, 2001 (NPDES PERMIT NO. CAS00401) contains requirements for Permittees to develop and implement an Illicit Connection / Illicit Discharge Elimination Program in compliance with this Permit.

The requirement to implement an Illicit Stormwater Program is based on one of the two primary objectives set forth in the Federal Clean Water Act amendments of 1987, which established the framework for regulating stormwater discharges from municipal, industrial and construction activities under the National Pollutant Discharge Elimination System:

- 1. Effectively prohibit non-stormwater discharges.**
- 2. Reduce the discharge of pollutants to the maximum extent practicable (MEP).**

To meet this statutory objective, the federal regulatory requirements for municipal Permittees include implementing a comprehensive program, and Best Management Practices (BMPs) to detect and remove illicit discharges and improper disposal into the storm drain system.

The City of Burbank has developed and implemented an **Illicit Stormwater Program** that includes the following components:

- Illicit discharge elimination
- Illicit connection elimination
- Public reporting
- Reporting of hazardous substances entering the storm drain system
- Industrial/Commercial Facilities Control Program

For the purposes of this program, the following definitions have been established for consistency:

“Illicit Disposal: Any disposal, either intentionally or unintentionally, of material or waste that can pollute storm water or urban runoff.”

“Illicit Discharge: Any discharge to the storm drain system that is prohibited under local, state or federal statutes, ordinances, codes or regulations. This includes all non-stormwater discharges except discharges pursuant to an NPDES permit and discharges that are exempted or conditionally exempted.”

“Illicit Connection: Any man-made conveyance that is connected to the storm drain system without a permit, excluding roof-drains and other similar connections. Examples include channels, pipelines, conduits, inlets, or outlets that are connected directly to the storm drain system.”

Illicit Discharge Elimination

The goal is to detect and eliminate illicit discharges from entering the storm drain system to reduce pollutants from such discharge to the maximum extent practicable.

Procedures have been implemented to investigate, contain and clean up any incidental spills (including sanitary sewer leaks or overflows) or prohibited discharges reported by the public or other agencies or observed by Burbank field staff during the course of their normal daily

activities.

Prohibited non-stormwater discharges to the storm drain system reported by the public or other agencies are eliminated through voluntary termination or enforcement action. If a non-stormwater discharge (suspected of being prohibited or resulting from an illicit connection or whose origin is unknown) is reported, it will be investigated to determine the nature and source of the discharge.

Illicit Connection Elimination

The goal is to detect and eliminate illicit connections in order to reduce pollutants discharged through such connections to the maximum extent practicable.

All connections to the storm drain system, suspected or observed to be the source of an illicit discharge, are investigated to determine the source and nature of the discharge. Such connections may be discovered while investigating a suspected illicit discharge, or detected by field staff during the course of their normal daily activities.

Exempt and Conditionally Exempt Discharges

Categories of non-stormwater discharges that are ALLOWED (exempted or conditionally exempted) under the NPDES Permit are as follows.

Exempt and Conditionally Exempt Discharges	
	<ul style="list-style-type: none">• Discharges in compliance with a separate NPDES permit / waste discharge requirements or granted a discharge exemption by the Regional Board, the Executive Officer, or the State Water Resources Control Board.
	<ul style="list-style-type: none">• Exempted discharges including:<ol style="list-style-type: none">1. Flows from riparian habitats or wetlands.2. Diverted stream flows.3. Springs.4. Rising ground waters.5. Uncontaminated groundwater infiltration.6. Discharges or flows from emergency fire fighting activities.
	<ul style="list-style-type: none">• Conditionally exempted discharges including:<ol style="list-style-type: none">1. Landscape irrigation.2. Potable Water line flushing.3. Potable water sources provided the discharges are managed in accordance with an approved Standard Pollution Prevention Practices and in compliance with any requirements established with the Burbank Municipal Code (BMC ch. 25).4. Foundation drains.5. Footing drains.6. Air conditioning condensate.7. Irrigation water.8. Lawn watering.9. Water from crawl space pumps.10. Dechlorinated, pH neutralized swimming pool discharges.11. Individual residential car washing.12. Street washing (including sidewalk washing), except municipal street washing.13. Charity Car Washing

Examples of Illicit Discharges

Illicit discharges and illicit disposal practices to be identified with this program include:

- Incidental spills or disposal of wastes or non-stormwater. These may be intentional, unintentional or accidental. These spills would typically enter the storm drain system directly through drain inlets, catch basins, manholes or be deposited in the public right-of-way such that wash-off would reach the storm drain system.
- Discharges of sanitary sewage due to overflows or leaks; usually incidental, but may be continuous.
- Continuous or intermittent discharges of prohibited non-stormwater other than through an illicit connection. These typically occur as surface runoff from outside the public right-of-way (e.g. area washdown waters from an industrial site).

Continuous or intermittent non-stormwater discharges through an illicit connection.

City of Burbank Storm Water Hotline

**(818) 972-1120 (business hours)
(888) CLEANLA (24 hour Emergency Line)**

Public Reporting Procedures

In order to promote, publicize and facilitate public reporting of illicit discharges and illicit disposal practices, a Stormwater Hotline has been implemented for Burbank residents and industries. The purpose of this Hotline is to receive incoming calls from the public regarding potential illicit discharges and illicit disposal practices, communicate and coordinate a response, follow-up with the complainant, and maintain documentation.

- Record the following minimum information from the caller:
 1. Date and time
 2. Location and / or address of the incident
 3. Evidence of illicit discharge noted by caller
 4. Caller's name and phone number (optional, may remain anonymous)
- Determine jurisdiction of the reported illicit discharge/ disposal incident
 1. If within Burbank and during normal working hours, contact the ISP Coordinator at (818) 972-1120 or on the city radio yellow channel unit #304.
 2. If incident is outside Burbank jurisdiction or after hours, call known information to 888-CLEANLA.
- Notify complainant of status or the outcome of the incident, if requested.

GENERAL SPILL/DISCHARGE RESPONSE PROCEDURES

An illicit discharge response entails four fundamental phases, which are: CLASSIFY, CONTAIN, CONTROL and CLEANUP.

The first personnel on scene are to classify whether the discharge is hazardous, non-hazardous, or unknown (Do not touch or approach any potentially hazardous material). Hazardous and unknown discharges are referred to the City's Fire Department HazMat team. Non-hazardous discharges are handled by City personnel or responsible parties.

The second phase is to contain the spill. For some forms of liquid discharges, this may entail the use of sand or soil dikes, sand bags, or plugging the outlet pipe of a catch basin. For other types of spills this may simply entail closing the roadway to prevent material from being tracked or otherwise dispersed by vehicular traffic.

The third phase of the response is to bring the discharge under control. For sewer spills this means clearing the line blockage or bypassing the line. For other types of discharges, this may entail sanding or placing absorbent on a material, or simply instructing someone on private property to stop their discharge.

The fourth and final step of the response is cleanup. For liquid spills this may require washing down and disinfecting all surfaces contacted by the spill, and removing and properly disposing of all contaminated wash down. Other types of discharges will have their own unique methods of cleanup.

Initial Discharge/Spill Response Procedures (see flow chart following page 7)

1. Upon receiving a call from the general public, city personnel or from a hotline number, the ISP Coordinator or designee thereof shall be immediately dispatched to the site.
2. If the discharge may be hazardous or unknown, proceed to Step 3. If the discharge is determined to be non-hazardous, proceed to Step 5.
3. The ISP Coordinator shall immediately retreat to a safe location (i.e. upstream and upwind), blocking the roadway, if necessary, to protect the public. If possible, given the topography and prevailing conditions that exist at the time, the ISP Coordinator shall call for assistance to block the roadway on the other side of the discharge to isolate the area from the public.
4. The ISP Coordinator will then notify the Burbank Fire Department of the incident. Upon receiving confirmation that the Fire Department will be responding, the ISP Coordinator is to stand-by and await the Fire Department's arrival to provide any assistance that may reasonably be requested.
5. If the spill is determined to be non-hazardous, the ISP Coordinator shall notify the City Public Works Field Services Department, who will proceed with containment, control and cleanup operations consistent with City procedures. The City crews can be contacted at (818)238-3800 or via radio. Important radio contact numbers are listed below:

Yellow Unit 9, Public Works Supervisor
Yellow Unit 5, Street Maintenance Lead worker
 ◆ If material is in public right-of-ways
Yellow Unit 6, Street Maintenance Lead worker – Sewer Crew
Yellow Unit 15, Sewer Crew
Yellow Unit 16, Sewer Crew
 ◆ If material is from sewage system or if material reaches the storm drain

Additional contacts include:

- ◆ Industrial Source Reduction and Control Program Inspectors at (818) 972-1115 for materials discharged from industrial facilities.

6. The ISP Coordinator shall investigate and record details of the event. Information to be recorded will include:
 - Location
 - Information of Responsible Party (RP), if known
 - Characteristics of the discharge
 - Note characteristics of the discharge location

The ISP Coordinator will notify the California Office of Emergency Services (OES) of the discharge (Appendix D lists OES notification procedures).

7. The ISP Coordinator will obtain sample of discharge for laboratory testing if type or source of spill is questionable or if needed for evidence in further enforcement actions.
8. The ISP Coordinator will follow Standardized Enforcement Procedures with the responsible parties to clean the spill and take appropriate action to mitigate the incident. If the Industry refuses to clean/performs inadequate cleaning of the spill, then the City may clean the area and charge the RP for the labor and/or disposal.

After Hours Reporting Procedures

1. Suspected illicit connections/illicit discharges are received either through the Police Department's 911 Dispatch, or through calls made to the Police Department's Complaint Desk (818) 238-3000.
2. Police Dispatch will dispatch a unit to perform an initial response and to determine:
 - a. If the material involved is hazardous, unknown or non-hazardous.
 - b. If the situation requires involves a sanitary sewer overflow or otherwise requires immediate attention.
3. Incidents involving hazardous or unknown materials will result in Burbank Fire/Hazmat units being dispatched to the location. In addition, the Police Department's Watch Commander shall notify the ISP Coordinator that a Hazmat incident has occurred. This notification may be made on the next working day.
4. Upon receiving notification that a Hazmat incident occurred, the ISP Coordinator shall be responsible for obtaining all available information related to the incident

from City Fire/Hazmat and for forwarding the same to the pertinent parties for follow-up investigation and enforcement.

5. Incidents involving non-hazardous materials will be referred to City personnel, as follows:
 - a. If immediate action is needed, Public Works standby personnel will be contacted by Police Dispatch using the City's Emergency Call List. For incidents involving a sanitary sewer overflow please refer to Appendix A – **City of Burbank Sanitary Sewer Overflow Response Program**. The staff person contacted is responsible for filing a completed Illicit Discharge / Connection Field Investigation Form in this event.
 - b. If immediate action is not needed, Police Dispatch will contact the ISP Coordinator (818) 972-1120 or the City Public Works Field Services Office (818) 238-3800 on the next working day.
6. City response procedures to either method of notification shall be consistent with the procedures contained within this manual.

ILLICIT CONNECTION AND DISCHARGE ENFORCEMENT PROCEDURES

(See flowchart following page 9)

Level 1-Minor Violations

Oral Warning/Friendly Reminder for minor violations or deficiencies. These may be issued by any City of Burbank Employee or City Contracted Employee. They can be issued for any observed illicit discharge or connection observed during informal meetings, inspections, or routine daily activities.

1. This would be defined as a small-scale, one-time violation of a limited scale which would not pose any threat or harm to public safety or the environment.
2. Issue a *Level 1 Enforcement* and ensure that the matter is corrected. Notify ISP Coordinator of the warning/reminder via radio (Yellow Unit 304) or telephone (818-972-1120). If ISP Coordinator is unreachable, contact the Public Works Radio Control 1.
3. If a violation occurs in a residential area, a “blanket mailer” may be sent to suspected source(s) and neighboring addresses as additional education.
4. If a similar violation is observed a second time a Notice of Violation (see below) will be issued.

Level 2-Notice of Violation

Enforcement or Notice of Violation (NOV) issued by the ISP Coordinator to the Responsible Party while on-site for violations, deficiencies or procedures noted, which would require structural changes, new management practices, or major cleaning of the affected area(s).

1. This would be defined as a connection or discharge that poses a threat or harm to the public or environment or appears to be a significant or willful act. A NOV will also be issued for a second incident following a Level 1 enforcement.
2. Issue a NOV to the responsible party and establishes a reasonable time period for compliance. The City Engineer may impose a fine.
3. A copy of the NOV will be filed and a follow-up inspection will be conducted.

Level 3-Order To Comply

Order To Comply (OTC) a more aggressive enforcement drafted by the ISP Coordinator and Public Works Department listing required changes/procedures to eliminate chronic or recurring violations.

1. This would be defined as a second notice for a recurring connection or discharge in which a NOV was previously issued.

2. Issue an OTC to the responsible party and establishes a reasonable time period for compliance. A meeting between the responsible party, the ISP Coordinator, and the City Engineer may be required. The City Engineer may impose a fine or pursue further enforcement through the City Attorney Office or the Los Angeles County Environmental Task Force.
3. A copy of the OTC will be filed and a follow-up inspection will be conducted.

Level 4- Civil/Criminal Actions

For chronic violations, The City Engineer may impose additional fines or pursue further enforcement through the City Attorney Officer of the Los Angeles County Environmental Task Force.

Further Enforcement Actions

Further enforcement actions for recurring or willful discharges or connections may include legal action and additional fines.

RECORD KEEPING AND DOCUMENTATION

The ISP Coordinator will be responsible for all record keeping and reporting procedures. Record keeping tasks include maintaining Inspection Reports and an Illicit Stormwater Program Database. The database will store updated information pertaining to all complaint forms, enforcement actions, illicit connections and discharges detected within the City of Burbank jurisdiction. The database will file all illicit connections and discharges according to the following minimum information:

- Date and time
- Location and/ or address
- Evidence of illicit discharge
- Type of connection (if any)
- Action taken
- Date incident was resolved

Once an incident has been filed the ISP Coordinator shall forward all important information to the Department of Public Works Senior Sanitary Engineer.

The ISP Coordinator will provide the City Engineer with all required information for annual reporting to the water quality control board.

An in house review of all recorded data will be conducted on a quarterly basis. All involved parties will meet to discuss ISP issues quarterly.

The Field Services telephone operators will enter all data from any phone calls/dispatches resulting in an oral warning into a spreadsheet that will be forwarded to the ISP Coordinator monthly.

Industrial/Commercial Facilities Control Program

The City of Burbank has developed an Industrial/Commercial Facilities Control Program to reduce the discharge of pollutants from commercial facilities to urban runoff and the storm water conveyance system.

Per the MS4 Permit, the City is responsible for inspecting all facilities subject to storm water regulations. The Federal Clean Water Act and the MS4 Permit specify those facilities included in the industrial/commercial facilities control program. These facilities, known as Critical Sources, include, but are not limited to, restaurants, automotive service facilities, retail gas outlets, automotive dealerships, EPA Phase I Facilities, and other federally mandated facilities.

The City of Burbank has implemented the Industrial/Commercial Facilities Control Program in conjunction with the Industrial Source Reduction and Control Program. The Industrial/Commercial Facilities Control Program includes the following components:

- Identification of Critical Sources
- Development of Best Management Practices
- Inspections
- Enforcements

Identification of Critical Sources

“Critical Sources: facilities within the City’s jurisdiction that are critical sources of storm water pollution. Critical Sources include:

1. *Commercial Facilities*
 - a. *Restaurants*
 - b. *Automotive service facilities*
 - c. *RGOs and automotive dealership*
2. *EPA Phase I Facilities (Tier 1 and 2)*
3. *Other Federally-mandated Facilities [as specified in 40 CFR 122.26(d)(2)(iv)(C)]*

The City identifies Critical Sources through review of business licenses and the Industrial Source Reduction and Control Program (ISRCP). The City also uses other sources; the Chamber of Commerce, staff observations, citizen complaints, and the Yellow Pages.

Development of Best Management Practices

The City provides BMPs for:

- Food Service Industries
- Painting
- Automotive Maintenance & Car Care
- Fresh Concrete & Mortar Application
- General Construction & Site Supervision
- Road work and paving
- Home Repair and Remodeling
- Landscape, Gardening, Pest Control & Weed Control

Inspections

The City's ISRCP program has been in place for many years. The ISRCP program conducts site inspections at all industrial/commercial industries, evaluating their performance against pretreatment standards, local and federal regulations, storm water regulations, and BMPs. Site inspections also provide an additional outreach and education opportunity. In general, site inspections are prioritized based on a facility's potential to harm the sanitary sewer system or the storm water conveyance system. Most industries (and all Critical Sources) are inspected a minimum of annually.

Enforcements

For the Industrial/Commercial Facilities Control Program, the City of Burbank follows the ISRCP Enforcement Response Plan (Appendix E).

ADDITIONAL PROGRAM PROCEDURES AND INFORMATION

Illicit Connection Elimination, SOPs

1. During routine storm drain infrastructure maintenance, look for evidence of suspected non-stormwater discharge(s). (See Flowchart on following page)
2. Investigate to determine the source of the non-stormwater discharge
3. Determine if the discharge is Exempt or Conditionally Exempt
4. If evidence of an Illicit Discharge is detected, investigate for a possible Illicit Connection
 - a. Physically inspect for conveyances (e.g. pipes, hoses, drains, ditches, etc.)
 - b. Document research (e.g. maps, blue prints, site plans, permit files, etc.)
 - c. Dye test
 - d. Smoke test
5. If a suspected Illicit Connection has been located and the nature and the source of the discharge have been identified, follow-up action will be initiated in one of the following ways:
 - a. If the discharge is determined to be Exempt or Conditionally Exempt, the connection may be left intact. A record of the connection investigation will be kept on file.
 - b. If the discharger applies for and receives a separate NPDES permit, the connection may be left intact.
 - c. If the connection is a source of intermittent or continuous illicit discharge, either the discharge must be terminated (with a record of the connection kept on file), or the connection must be terminated either voluntarily or through enforcement actions.

Reporting Hazardous Substances Entering the Storm Drain System

The Permit defines a hazardous substance as a material defined under 40 CFR, subchapter 302. These are either “listed” or “unlisted” hazardous substances. Unlisted hazardous substances are certain items of waste that exhibit characteristics identified in 40 CFR 261.20 through 261.24. Hazardous substances include any substance or chemical product for which one or more of the following applies:

- A material safety data sheet (MSDS) is required
- The substance is listed as radioactive by the Nuclear Regulatory Commission
- The substance is listed as hazardous by the U.S. Department of Transportation
- The material is listed in Labor Code 6382(b)

The Burbank Fire Department’s Hazardous Materials team will be in charge of handling, cleanup and disposal of any spilled hazardous materials.

- If a caller’s description of a spill/illicit discharge/disposal material suggests it is hazardous, notify the Burbank Fire Department’s Hazardous Materials team.
- The Burbank Fire Department’s Hazardous Materials team will conduct a material investigation.
- If the material is determined to be hazardous, the Burbank Fire Department’s Hazardous Materials team will notify local, state and federal agencies and private contractors as necessary.
- If the material equals or exceeds the reportable quantity in a 24-hour period, the Burbank Fire Department will notify the California Office of Emergency Services

(OES) and the National Response Center.

Standard records documenting all illicit discharges detected within the City of Burbank, including hazardous substances, will be forwarded and kept by the ISP Coordinator for incorporation into the illicit discharge records.

All other reporting requirements for hazardous substances, unrelated to stormwater quality, are the responsibility of the Burbank Fire Department's Hazardous Materials team.

Good Housekeeping Requirements to Reduce Urban Runoff

Effectuated parties shall be referred to the State Water Quality Resource Control Board for the most current Best Management Practices (BMPs) including, but not limited to the following areas:

- Reducing Runoff Pollution
- Equipment Maintenance
- Remove Debris and Residue